

HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION NO.218 OF 1994.

Date of decision: 15.11.1995.

For approval and signature

The Honourable Mr. Justice S.M. Soni

and

The Honourable Mr. Justice R.R.Jain

Mr.Kalpesh Zaveri, advocate for applicant.

Mr. Nilesh A. Parikh, advocate for respondent No.1.

Respondent No.2-served.

1. Whether Reporters of Local Papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram:S.M.Soni & R.R.Jain,JJ.

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November 15, 1995.

Oral judgment (Per Soni,J)

Application is filed to take necessary action against the opponents under the Contempt of Courts Act on the ground that the opponents have wilfully defied the award passed by the Labour Court in Reference No.LCV.467/81 dated 11.2.1993. This Court in MCA No.397/91 and allied matters have held that Labour Court is not a court subordinate to the High Court under the provisions of

Section 10 of the Contempt of Courts Act in view of the judgment of the Supreme Court in the case of the Alahar Cooperative Credit Service Society v. Sham Lal, 1995 (2) GLH,550. In view of this, the application is not maintainable and is hereby dismissed. Rule discharged. No costs.